

Exhibit 16

FEDERAL BUREAU OF PRISONS

Office of Internal Affairs

03 - 17 - 2008

Page 1 of 1

Matter ID	OIA-2008-00746	OIG Case Number		Name	BARRICK, BRIAN H	Field Office	BUT
Region	NER	Institution	NYM	Open Date	11/26/2007	Number of Subjects	1
Date Allegation Rptd.	11/21/2007	Investigated By	LOC	Category	3		

CASE DESCRIPTION

(JENKINS, RODERICK) Breach of Security

CASE SUMMARY

On November 16, 2007, at approximately 4:50 p.m., Supervisory Investigative Agent Mary Jones found a set of Urine Analysis 24-hour keys on the first floor sallyport area. Intelligence Research Officer Roderick Jenkins reported that he did not have his keys. Jenkins did not recall dropping his keys, he claimed he left them in the key slot of the Control Center.

OTHER COMMENTS

The local investigation sustained the allegation of Breach of Security against Jenkins based on his sworn admission of accidentally dropping his 24 hour issued keys. Initially, Jenkins stated that he thought he may have left his keys in the Control Center key slot, but after reviewing the video of himself on the Nice Vision Camera System, dropping his keys on the floor and walking away, he stated he accidentally dropped them. Lieutenant Arries found the unsecured keys on the floor a few minutes after Jenkins departed the area. Accordingly, the case against Jenkins was sustained. Disciplinary action is pending. bbb

FINAL DISPOSITION

COMPLAINANT INFORMATION

Complainant Name	ARRIES, JAY W	Title/Inmate Reg. No.	SUPVY CORRECTNL OFFCR
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EVENTS

Date Scheduled	11/26/2007	Suspense/Due Date	03/26/2008	Description	LOCAL INVESTIGATION AUTHORIZED
Comments					
Date Scheduled	01/22/2008	Suspense/Due Date	03/26/2008	Description	ONGOING LOCAL INVESTIGATION
Comments					
Date Scheduled	02/29/2008	Suspense/Due Date	03/14/2008	Description	LOC INV. PACKET REC'D
Comments					
Date Scheduled	03/17/2008	Suspense/Due Date		Description	LOC INV. PACKET APPROVED
Comments					
Date Scheduled	03/17/2008	Suspense/Due Date	07/17/2008	Description	PENDING DISCIPLINARY ACTION
Comments					

CASE STATUS

Status	OPEN	Disposition		Close Date	
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FEDERAL BUREAU OF PRISONS

Office of Internal Affairs

03 - 17 - 2008

Page 1 of 1

Matter ID	OIA-2008-00746	OIG Case Number		Name	BARRICK, BRIAN H	Field Office	BUT
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Complainant Name ARRIES, JAY W Title/Inmate Reg. No. SUPVY CORRECTNL OFFCR

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Date Scheduled	11/26/2007	Suspense/Due Date	03/26/2008	Description	LOCAL INVESTIGATION AUTHORIZED
Comments					
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Comments					
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Comments					
Date Scheduled	03/17/2008	Suspense/Due Date		Description	LOC INV. PACKET APPROVED
Comments					
Date Scheduled	03/17/2008	Suspense/Due Date	07/17/2008	Description	PENDING DISCIPLINARY ACTION
Comments					

CASE STATUS

Status OPEN Disposition Close Date

D000550

Office of Internal Affairs
Review of Local Investigative Packet

FILE COPY

OIA Case No. 2008-00746

Facility: MCC New York, NY

Local Investigator's Name: Mary E. Wade-Jones, SIA

Subject: Roderick Jenkins, Intelligence Research Officer

Allegation: Breach of Security

☒ This local investigative packet has been **approved** by the OIA. Please forward the report and documents to your CEO for appropriate disposition.

☒ Misconduct was sustained as follows:

Roderick Jenkins, Intelligence Research Officer
Breach of Security

Reviewed by: Brian Barrick, Special Agent
Date Reviewed: March 11, 2008

Reviewed/Approved: _____

Supervisory Special Agent

Date

3/14/08

EMAILED
3/17/08

"SBU - Sensitive But Unclassified"

D000551

Office of Internal Affairs Review of Local Investigative Packet

OIA Case No. 2008-00746

Facility: MCC New York, NY

Local Investigator's Name: Mary E. Wade-Jones, SIA

Subject: Roderick Jenkins, Intelligence Research Officer

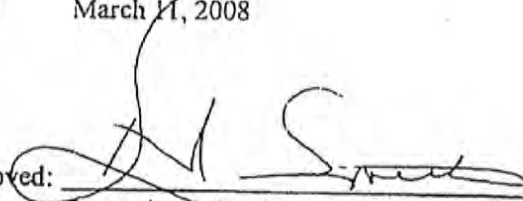
Allegation: Breach of Security

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☒ Misconduct was sustained as follows:

Roderick Jenkins, Intelligence Research Officer
Breach of Security

Reviewed by: Brian Barrick, Special Agent
Date Reviewed: March 11, 2008

Reviewed/Approved: 
Supervisory Special Agent

Date 3/14/08

"SBU - Sensitive But Unclassified"

D000552

C:\DOCUME~1\BOP2858\LOCALS~1\Temp\GWJ00001.TMP

Page 1

Mail Envelope Properties (47DE5B90.6B9 : 176 : 45942)

Subject: 2008-00746-NYM
Creation Date 3/17/2008 7:52:48 AM
From: BOP-DIR/Internal Affairs-Local Investigative Packets~
Created By: BOP-DIR/Internal Affairs-Local Investigative Packets~@bop.gov

Recipients

bop.gov

NYMADM1.NYMDOM1

NYM0033 CC (James Cross)

NYM5624 (Mary Wade-Jones)

Post Office

NYMADM1.NYMDOM1

Route

bop.gov

Files	Size	Date & Time
MESSAGE	1381	3/17/2008 7:52:48 AM
RLIP-2008-00746.pdf	14167	3/17/2008 6:55:04 AM

Options

Expiration Date: None
Priority: High
ReplyRequested: No
Return Notification: None

Concealed Subject: No
Security: For Your Eyes Only

Junk Mail Handling Evaluation Results

Message is not eligible for Junk Mail handling

Message is from an internal sender

Junk Mail settings when this message was delivered

Junk Mail handling disabled by User

Junk List is not enabled

Junk Mail using personal address books is not enabled

Block List is not enabled

FEDERAL BUREAU OF PRISONS

Office of Internal Affairs

03 - 11 - 2008

Page 1 of 1

Matter ID	OIA-2008-00746	OIG Case Number		Name	BARRICK, BRIAN H	Field Office	BUT
Region	NER	Institution	NYM	Open Date	11/26/2007	Number of Subjects	1
Date Allegation Rptd.	11/21/2007	Investigated By	LOC			Category	3

CASE DESCRIPTION

(JENKINS, RODERICK) Breach of Security

CASE SUMMARY

On November 16, 2007, at approximately 4:50 p.m., Supervisory Investigative Agent Mary Jones found a set of Urine Analysis 24-hour keys on the first floor sallyport area. Intelligence Research Officer Roderick Jenkins reported that he did not have his keys. Jenkins did not recall dropping his keys, he claimed he left them in the key slot of the Control Center.

OTHER COMMENTS

The local investigation sustained the allegation of Breach of Security against Jenkins based on his sworn admission of accidentally dropping his 24 hour issued keys. Initially, Jenkins stated that he thought he may have left his keys in the Control Center key slot, but after reviewing the video of himself on the Nice Vision Camera System, dropping his keys on the floor and walking away, he stated he accidentally dropped them. Lieutenant Arries found the unsecured keys on the floor a few minutes after Jenkins departed the area. Accordingly, the case against Jenkins was sustained. Disciplinary action is pending. Pending the SSA's review approval. bbb

FINAL DISPOSITION

COMPLAINANT INFORMATION

Complainant Name ARRIES, JAY W Title/Inmate Reg. No. SUPVY CORRECTNL OFFCR

EVENTS

Date Scheduled	11/26/2007	Suspense/Due Date	03/26/2008	Description	LOCAL INVESTIGATION AUTHORIZED
Comments					
Date Scheduled	01/22/2008	Suspense/Due Date	03/26/2008	Description	ONGOING LOCAL INVESTIGATION
Comments					
Date Scheduled	02/29/2008	Suspense/Due Date	03/14/2008	Description	LOC INV. PACKET REC'D
Comments					

CASE STATUS

Status OPEN Disposition Close Date

D000554

FEDERAL BUREAU OF PRISONS

Office of Internal Affairs

11 - 26 - 2007

Page 1 of 1

Matter ID	OIA-2008-00746	OIG Case Number		Name	BARRICK, BRIAN H	Field Office	BUT
Region	NER	Institution	NYM	Open Date	11/26/2007	Number of Subjects	1
Date Allegation Rptd.	11/21/2007	Investigated By	LOC	Category	3		

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OTHER COMMENTSFINAL DISPOSITIONCOMPLAINANT INFORMATION

Complainant Name	ARRIES, JAY W	Title/Inmate Reg. No.	SUPVY CORRECTNL OFFCR
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EVENTS

Date Scheduled	11/26/2007	Suspense/Due Date	03/26/2008	Description	LOCAL INVESTIGATION AUTHORIZED
Comments					

CASE STATUS

Status OPEN

Disposition

Close Date

D000555

**FEDERAL BUREAU OF PRISONS
OFFICE OF INTERNAL AFFAIRS
SUBJECT REPORT**

11/26/2007

Matter ID: OIA-2008-00746

Agent: BARRICK, BRIAN H

Page 1 of 1

SUBJECT INFORMATION

Name: JENKINS, RODERICK

SSN: [REDACTED]

Region: NER

Inst: NYM

Title: CORRECTNL PROG SPECLST

Series	Payplan	Grade	Step	Discipline
0006	GL	09	10	2

Duty Date: 01/02/1990

Haz.Duty Date: 01/02/1990

Probationary: N Union Representation:

REPORTED ALLEGATIONS

Allegation Master Code	111	Allegation Sub-Code	057	Reported Date	11/21/2007	Legal Action	Sentence Date
Offense							
Comments							

SUSTAINED ALLEGATIONSSTATUS

Disposition:	Close Date:	Disciplinary Action:	Days Suspended:
Comments:			

DEMOGRAPHIC INFORMATION

Sex: M Race: C DOB: [REDACTED] 1966

Address: 21 A MARTIN LUTHER KING

City: HEMPSTEAD State: NY Zip: 11550-0000

Home Phone:

D000556

BP-S715.012 REFERRAL OF INCIDENT (INTERNAL AFFAIRS)
(In Preparation of Telephonic Report) CDFRM

AUG 01

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS


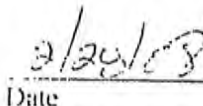
Date of Incident: November 16, 2007		Time of Incident: 4:50 p.m.	
Place Incident: MCC New York First Floor Sallyport			
Allegation(s) Breach of Security.			
Source of Allegation(s) Jay Arries, SIS Lieutenant			
Subject of Incident's Information:			
Full Name: Roderick Jenkins		Title and Grade Intelligence Research Officer GS-09	
Victim (Inmate) Information (If applicable):			
FULL NAME		Title/Reg. No.	
<p>SUMMARY OF INCIDENT: (Provide brief, but complete summation of incident including names of any witnesses)</p> <p>On November 16, 2007, at approximately 4:50 p.m., Jay Arries, SIS Lieutenant, informed the Acting Captain/SIA, Ms. Jones that he found a set of Urine Analysis 24 hours keys on the first floor sallyport area. After a review of the staff roster, Ms. Jones notified several staff members that was assigned to work in the urine analysis office to check to make sure they were in control of there 24 hrs keys. Intelligence Research Officer Roderick Jenkins stated that he did not have his keys. Officer Jenkins stated he don't recall dropping his key but he think he left them in the key slot in Control:</p>			
Describe any action taken locally prior to OIA referral: Are local, state or federal authorities involved?			
Classification 3 Case <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Printed Name and Signature of Person Preparing Referral of Incident Mary E. Wade-Jones, SIA			
CEO's Printed Name and Signature James N. Cross, Warden		Location	Date
<p>NOTE: Please fax all pertinent information as soon as possible after completion of the telephonic referral. Include all statements, memos, affidavits, medical reports, personnel actions as may apply.</p>			

OIA FAX: FTS 368-8628 (202) 514-8625

(This form may be replicated via WP)

D000557

SIA Investigative Report

OIA Case No.:	2008-00746	Local Case No.:	NYM-00727
Subject and Allegation:	Roderick Jenkins Intelligence Research Officer, Gl.-9 Breach of Security (Sustained)		
Institution/Location:	Metropolitan Correctional Center (MCC) New York, New York		
Assigned Agent:	 Mary E. Wade-Jones, SIA		 Date 2/28/08

Executive Summary

The allegation of Breach of Security was alleged by Jay Arries, Operations Lieutenant, against Roderick Jenkins, Intelligence Research Officer. Warden James N. Cross, received the allegation of Breach of Security on November 26, 2007.

The allegation by Lieutenant Arries against Jenkins was that he was found a set of keys on the first floor sally port by the Control Center key issue window. Lieutenant Arries stated that there was no staff present at the time. The keys were later identified as twenty-four-hour keys assigned to the Urinalysis office. Jenkins identified the keys being assigned to him and stated that he doesn't think that he dropped the keys but maybe he left them in the Control Center key slot. A review of the Nice Vision Camera System revealed that Jenkins retrieved his keys from the Control Center key slot and dropped a set of keys on the floor prior to Lieutenant Arries arrival. Program Statement 5500.11, Correctional Services Manual, states in Chapter 2, page 13 section 1: All key rings must be secured. They will be done by the institution providing a clip that attaches to the employee's belt and providing a chain that will attach to both. Therefore, the charge of Breach of Security is sustained.

"SBU - Sensitive But Unclassified"

OIA Case No. 2008-00746

Administrative Reporting and Processing

This complaint was referred to the Office of Internal Affairs (OIA), on November 16, 2007, for review and classification. OIA deferred the matter to MCC New York on November 26, 2007. Special Investigative Agent, Mary Wade-Jones conducted the investigation.

References

Program Statements 5500.11, Correctional Services Manual, Chapter 2, Page 13, section E, states: All keys must be secured. This will be done by the institution providing a clip that attaches to the employee's belt and providing a chain that will attach to both.

Witnesses

Staff:

Jay Arries, Operations Lieutenant
Roderick Jenkins, Intelligence Research Officer

Factual Information

Jay Arries, Operations Lieutenant, stated that on November 16, 2007, as he exited the staff elevator on the first floor sally port he observed a key ring laying on the floor near the Control Center key issue window. There was no staff in the first floor sally port area at the time. The key ring was later identified as a twenty-four-hour key ring for the Urinalysis Office. Lieutenant Arries stated he turned to the keys over to the Acting Captain.

Roderick Jenkins, Intelligence Research Officer, stated that on November 16, 2007, at approximately 7:55 p.m., he was informed by the Acting Captain that his twenty-four-hour key ring was found on the first floor sally port. Jenkins stated to the Acting Captain that he doesn't think that he dropped the keys and that he may have left them in the Control Center key slot. Jenkins also stated that after reviewing the video footage it was obvious that he did not realize he dropped the keys. Jenkins stated that if he had known or heard the keys dropped that he would have picked them up. Jenkins says it wasn't intentional but an accident.

"SBU - Sensitive But Unclassified"

OIA Case No. 2008-00746

Conclusion

The SIA investigation revealed that Lieutenant Arries did find a set of keys on the first floor sally port. The Nice Vision Camera System revealed that Lieutenant Arries found the keys as he exited the elevator on the first floor sally port. The camera also revealed that Jenkins drew his keys several minutes prior to Lieutenant Arries arrival. Jenkins was notified about the keys and identified the keys as the twenty-four-hours keys assigned to him. Jenkins also stated that after reviewing the video footage it was obvious that he did not realize that he had dropped his key. Jenkins stated that it was unintentional. **Therefore, the charge of Breach of Security is sustained.**

The investigative findings provided in this report should be used in conjunction with supportive data and findings established in Program Statement 3420.09, Standards of Employee Conduct, to determine specific violations of staff misconduct.

BP-S194.012 WARNING AND ASSURANCE TO EMPLOYEE
REQUIRED TO PROVIDE INFORMATION CDFRM

AUG 01

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

This is an official administrative inquiry regarding misconduct or improper performance of official duties.

This inquiry pertains to: Breach of Security.

The purpose of this interview is to obtain information which will assist in the determination of whether administrative action is warranted.

You are going to be asked a number of questions regarding the performance of your official duties.

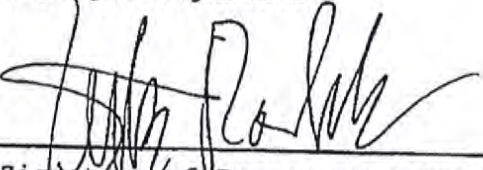

You have a duty to reply to these questions and agency disciplinary action, including dismissal, may be undertaken if you refuse or fail to reply fully and truthfully.

Neither your answers nor any information or evidence gained by reason of your answers can be used against you in any criminal proceeding, except that if you knowingly and willfully provide false statements or information in your answers, you may be criminally prosecuted for that action. The answers you furnish and any information or evidence resulting therefrom may be used in the course of agency disciplinary proceedings which could result in disciplinary action, including dismissal.

If you are a member of the bargaining unit and you believe your rights are being threatened, you may request the presence of a representative. If you desire a representative, no further questioning will take place until your representative is present. However, if your representative is not available within a reasonable period of time, questioning may proceed without a representative being present.

ACKNOWLEDGMENT

I have read and understand my rights and obligations set forth above:

Employee Signature 	Date 02/26/08
Signature of Bureau of Prisons Official Conducting inquiry 	Date 2/26/08

(This form may be replicated via WP)

This form replaces BP-S194 dated AUG 93.

SBU - Sensitive But Unclassified

D000561

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
MCC New York, 10007

AFFIDAVIT

State of New York)

ss

Country of U.S.A.)

County of Manhattan)

I, Mr. Roderick Jenkins, Intelligence Research Specialist, at the Metropolitan Correctional Center, New York, New York after being duly sworn, do hereby make the following statement freely without any promises or assurances. (B)

1. I affirm that I have not taken any medication nor have I consumed any alcoholic beverages nor any illicit drugs prior to being interviewed by the Special Investigative Agent.
2. I affirm that I do not have a recording device on my person or in my effects and I understand that this interview is not being recorded by the Special Investigative Agent. (B)
3. I affirm that I understand this is an official information inquiry, and that I am not to discuss this interview without the permission of the Special Investigative Agent. (B)

On November 16, 2007, at approximately 7:55 p.m., I was informed by the Acting Captain(Jones) that my twenty-four-hour key ring was found on the first floor sally port. I stated to Ms. Jones that I don't think that I dropped the keys and that I may have left them in the Control Center key slot. After I reviewed the tape, it's obvious that I did not realize that I had dropped my twenty four-hour keys. If I had known or heard the keys dropped of course I would have picked them up it wasn't intentional. It was an unintentional accident. (B)

Page 1 of 1

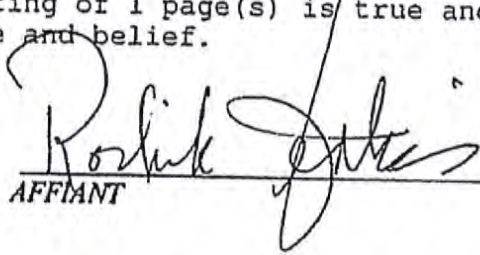
Affiant's Initials

(B)

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
MCC New York , New York 10007

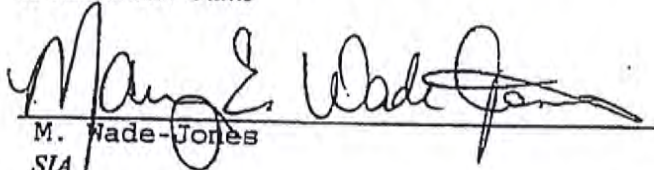
OATH

I declare, under the pains and penalty of perjury, that the foregoing statement consisting of 1 page(s) is true and accurate to the best of my knowledge and belief.


AFFIANT

Subscribed and sworn to before me this 26th day of February 2008.

Authorized by 5 U.S.C. 303
to Administer Oaths


M. Wade-Jones
SIA
Federal Bureau of Prisons

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
MCC New York, 10007

AFFIDAVIT

State of New York)

ss

Country of U.S.A.)

County of Manhattan)

I, Mr. Jay Arries, Operations Lieutenant, at the Metropolitan Correctional Center, New York, New York after being duly sworn, do hereby make the following statement freely without any promises or assurances:

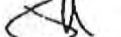
1. I affirm that I have not taken any medication nor have I consumed any alcoholic beverages nor any illicit drugs prior to being interviewed by the Special Investigative Agent.

2. I affirm that I do not have a recording device on my person or in my effects and I understand that this interview is not being recorded by the Special Investigative Agent.

3. I affirm that I understand this is an official information inquiry, and that I am not to discuss this interview without the permission of the Special Investigative Agent.

On November 16, 2007, as I exited the staff elevator on the first floor I saw a key ring laying on the floor near the Control Center issue window. There were no staff in the first floor sally port area at the time. I secured the key ring which was identified as a twenty-four hour key ring for the Urinalysis Officer. I then turned the key over to the Acting Captain.

Page 1 of 1

Affiant's Initials 

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
101 New York, New York 10007

OATH

I, [redacted], under the pains and penalty of perjury, declare that the foregoing statement consisting of [redacted] pages is true and accurate to the best of my knowledge and belief.

[redacted]
AFFIANT

Subscribed and sworn to before me this 20th day of February 2008.

Authorized by 5 U.S.C. 303
to Administer Oaths

[redacted]
M. Wade Jones
S/A

Federal Bureau of Prisons



UNITED STATES GOVERNMENT
MEMORANDUM

Metropolitan Correctional Center, New York, New York

DATE: November 16, 2007

TO: ~~S. I. A. McJones~~

FROM: Roderick Jenkins I.R.S

SUBJECT: U/A 24 Hour KEYS

Note

On the above date approximately 7:55 p.m. I was informed by Ms. Jones that my 24-hour key was found on the first floor sallyport, and to come to her office to retrieve the key. I then stated to Jones that I don't think that I drop the key and that I may have left them in the slot of control center.



UNITED STATES GOVERNMENT
MEMORANDUM

Metropolitan Correctional Center, New York, New York

DATE: November 28, 2007
TO: Mary Wade-Jones, SIA
FROM: J. Arries, SIS Lieutenant
SUBJECT: Found Keys

On November 16, 2007, I exited the staff elevator on the first floor, where I observed a key ring laying on the floor near the Control Center issue window. No staff were in the first floor sallyport at the time. I secured the key which was identified as a 24 hour ring for the U/A Officer keys. The key ring was turned into Mary Wade-Jones, Acting Captain.

FOI Exempt-Sensitive But Unclassified

Brian Barrick - 2008-00746-NYM-Local Investigative Packet Review

Page 1

From: Brian Barrick
To: Donna Smith
Date: 3/11/2008 2:21:30 PM
Subject: 2008-00746-NYM-Local Investigative Packet Review

Donna,

Please see the attached Local Investigative Packet Review form for the above MCC New York case. Breach of Security was sustained against Jenkins based on his sworn admission of accidentally dropping his 24 hour issued keys. Initially, Jenkins stated that he thought he may have left his keys in the Control Center key slot, but after reviewing the video of himself on the Nice Vision Camera System, dropping his keys on the floor and walking away, he stated he accidentally dropped them. Lieutenant Arries found the unsecured keys on the floor a few minutes after Jenkins departed the area. Accordingly, the case against Jenkins was sustained. Thanks....

Brian Barrick, Special Agent
Federal Bureau of Prisons
Office of Internal Affairs
Butner Field Office
(919) 575-3900 ext. 6780
(919) 575-4854 - Fax

SENSITIVE/PRIVILEGED COMMUNICATION

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D000568

C:\DOCUMENT~1\BOP2858\LOCALS~1\Temp\GWJ00001.TMP

Page 2

Mail Envelope Properties (47D6CDAA.833 : 229 : 63052)

Subject: 2008-00746-NYM-Local Investigative Packet Review
Creation Date 3/11/2008 2:21:30 PM
From: Brian Barrick
Created By: bbarrick@bop.gov

Recipients	Action	Date & Time
bop.gov		
PO2.BOPMSCO		
BOP7835 (Donna Smith)		

Post Office	Delivered	Route
PO2.BOPMSCO	Pending	bop.gov

Files	Size	Date & Time
MESSAGE	1986	3/11/2008 2:21:30 PM
Review-Barrick.wpd	5316	3/11/2008 2:11:44 PM

Options

Auto Delete:	No
Expiration Date:	None
Notify Recipients:	Yes
Priority:	Standard
ReplyRequested:	No
Return Notification:	None

Concealed Subject:	No
Security:	Standard

To Be Delivered:	Immediate
Status Tracking:	Delivered & Opened

D000569